

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 4, 2010  
Electronic Signature for William A. Di Bianca: /William A. Di Bianca/

**EXPEDITED PROCEDURE**

Group Art Unit: 3733

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCIPCON IV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	:
	:
Errico et al.	:
	:
Application No.: 10/784,628	: Group Art Unit: 3733
	:
	:
Filed: February 23, 2004	: Examiner: C. L. Negrelli
	:
	:
For: INSTRUMENTATION FOR INSERTING	:
AND IMPACTING AN ARTIFICIAL	:
INTERVERTEBRAL DISC IN AN	:
INTERVERTEBRAL SPACE	:

**AMENDMENT UNDER 37 CFR § 1.116**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action dated August 4, 2009, finally rejecting claims **1, 4-7, and 9-11**, please amend the above-identified U.S. patent application as follows: